



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Representatives Present During the Inspection:

Company	Guy Davis	Environmental Scientist
OGM	Pete Hess	Environmental Scientist III

Inspection Report

Permit Number:	C0150019
Inspection Type:	COMPLETE
Inspection Date:	Tuesday, September 09, 2008
Start Date/Time:	9/9/2008 9:15:00 AM
End Date/Time:	9/9/2008 12:45:00 PM
Last Inspection:	Monday, June 09, 2008

Inspector: Pete Hess, Environmental Scientist III

Weather: Overcast, cool; 20% chance of thunder storms.

InspectionID Report Number: 1761

Accepted by: jhelfric

10/7/2008

Permittee: **PACIFICORP**

Operator: **ENERGY WEST MINING CO**

Site: **COTTONWOOD/ WILBERG**

Address: **PO BOX 310, HUNTINGTON UT 84528**

County: **EMERY**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

6,286.20	Total Permitted
62.82	Total Disturbed
	Phase I
	Phase II
	Phase III

Mineral Ownership

- ☒ Federal
☐ State
☐ County
☒ Fee
☐ Other

Types of Operations

- ☒ Underground
☐ Surface
☐ Loadout
☐ Processing
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

This site remains in temporary cessation status.

The first quarter of 2008 surface and ground water monitoring data for the Cottonwood / Wilberg Mine permit area has been inserted and uploaded into the Division EDI permanent data base. Insertion of second quarter 2008 data is pending.

There are no pending compliance actions for this site.

Inspector's Signature: _____

Pete Hess

Pete Hess, Environmental Scientist III

Inspector ID Number: 46

Date Tuesday, September 09, 2008

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

1594 West North Temple, Suite 1210, PO Box 145801, Salt Lake City, UT 84114-5801
 telephone (801) 538-5340 • facsimile (801) 359-3940 • TTY (801) 538-7458 • www.ogm.utah.gov

REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
 - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
 - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Divison Orders, and amendments.

	Evaluated	Not Applicable	Comment	Enforcement
1. Permits, Change, Transfer, Renewal, Sale	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Signs and Markers	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Topsoil	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.a Hydrologic Balance: Diversions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.b Hydrologic Balance: Sediment Ponds and Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.c Hydrologic Balance: Other Sediment Control Measures	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.d Hydrologic Balance: Water Monitoring	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.e Hydrologic Balance: Effluent Limitations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Explosives	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Disposal of Excess Spoil, Fills, Benches	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Coal Mine Waste, Refuse Piles, Impoundments	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Noncoal Waste	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Protection of Fish, Wildlife and Related Environmental Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Slides and Other Damage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Contemporaneous Reclamation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Backfilling And Grading	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Revegetation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Subsidence Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. Cessation of Operations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16.a Roads: Construction, Maintenance, Surfacing	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16.b Roads: Drainage Controls	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Other Transportation Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
18. Support Facilities, Utility Installations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
19. AVS Check	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
20. Air Quality Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
21. Bonding and Insurance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
22. Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

2. Signs and Markers

The Permittee identification information on the Mine's gate sign does not match that shown on the old waste rock site sign or the signs at the Cottonwood fan portal. The Permittee has been asked to update these with the required current information, as shown on the main gate at the Mine.

4.b Hydrologic Balance: Sediment Ponds and Impoundments

The Permittee's qualified personnel performed the second quarter of 2008 impoundment inspections for the North, South and waste rock ponds on June 3, 2008. Messrs. John Christensen, P.E., and Rick Cullum, R.L.S. did not observe any hazards or structural instabilities with any of the three ponds. All ponds had from 0.19 acre feet to 0.26 acre feet of sediment storage capacity remaining on the 6/3/ inspection date. The pond inspection reports were completed on June 25, 2008; the P.E. certification and R.L.S. qualification statements were completed on August 12, 2008. The monthly inspections of the North and South ponds, as required by the MSHA approved variance to 30 CFR 77.216-3, (R645-301-514.320) are current, with the last inspection being performed by Mr. Guy Davis on August 13, 2008. Both the North and south ponds contained some water this day; the waste rock site pond was dry. No compliance issues were identified with the three impounding structures. Annual pond certifications for the North, South and waste rock pile impoundments were forwarded to the USDOL / MSHA / Denver on July 17, 2008.

4.c Hydrologic Balance: Other Sediment Control Measures

The Permittee has scheduled the replacement of approximately 100 feet of silt fence on the west side of the active waste rock site road.

4.d Hydrologic Balance: Water Monitoring

There was no flow observed in Grimes Wash or at the waterfall inside the disturbed area boundary.

4.e Hydrologic Balance: Effluent Limitations

The Permittee is considering removing some of the silt fences at both the Cottonwood fan portal recalim area, as well as along the access road to the active waste rock site. The Permittee inquired as to what extent the vegetation needed evaluation prior to removal of the filtering material. The vegetation at the reclaim area appears to be very good; the vegetation along the access road to the active waste rock site appears to be at least as good as the undisturbed area. The Division suggested that an evaluation by a qualified plant biologist be used as supporting information for removal of the silt fences. The Utah DWQ conducted a reconnaissance inspection of the Cottonwood / Wilberg facility on June 10, 2008. No deficiencies were observed during that inspection.

7. Coal Mine Waste, Refuse Piles, Impoundments

The Division conducted a Phase II and III bond release inspection of the reclaimed waste rock site on July 2, 2008. The BLM and representatives of the Emery County public lands council attended the inspection. The six cells associated with the refuse disposal area are those which are being considered for release. The area where large boulders are stored continues to be within the BLM lease. The Permittee has removed the barb wire "T" post fence from the outside perimeter of the waste cells. The second quarter of 2008 waste rock pile inspections were conducted on June 3, 2008 by Mr. John Christensen, Utah licensed professional engineer. There were no signs of instability or other structural hazards noted during that inspection; the report received the required certification on August 12, 2008. There were no indications of spontaneous combustion at the active waste site this day.

8. Noncoal Waste

The Permittee was asked to remove the rubber tired water car which is stored within the boulder storage area (reclaimed waste rock site).

16.a Roads: Construction, Maintenance, Surfacing

The Permittee has cleared the cut bank debris from the road accessing the Cottonwood portals from the lower parking lot area.

22. Other

An onsite meeting at the Trail Mountain Mine site is to be held on Thursday, September 25, 2008 to discuss permitting and federal coal lease issues for federal leases UTU-49332 and UTU-64375. The meeting has been requested by the Permittee and will include their representatives as well as representatives for the Utah DOGM, the BLM and the USFS Manti LaSal National Forest. The lease issues relating to the Trail Mountain Mine permit area may affect the status of the Cottonwood / Wilberg Mine site relative to the reclamation time line.